

DATE December 17, 2007

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT  
FOR 2007 DESIGNATED NEIGHBORHOOD SIDEWALK REPLACEMENT - CONTRACT 1,  
TI-ZACK CONCRETE, INC.**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the attached report of the Jurisdictional Engineer, showing the cost of the construction of the 2007 Designated Neighborhood Sidewalk Replacement - Contract 1, 09-2007-006, in accordance with the contract approved between Ti-Zack Concrete, Inc., Steve J. Rutt, President, 39352 221st Avenue, LeCenter, MN 56057, under Roll Call No. 07-1234, of June 18, 2007, and the City of Des Moines, and recommending the acceptance thereof, be and the same is hereby approved, and accepted, and

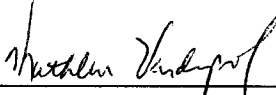
BE IT FURTHER RESOLVED: That \$463,937.00 is the total cost, of which \$420,682.63 has been paid the Contractor, and \$20,057.52 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$23,196.85 is to be paid at the end of thirty days, provided no claims or liens have been filed against said contract. In the event that at the end of said thirty (30) day period, claims are on file as herein provided, the City of Des Moines shall continue to retain from said unpaid funds, a sum not less than double the total amount of all claims on file, or the full Chapter 573 Code of Iowa retainage amount, whichever is lesser.

BE IT FURTHER RESOLVED: That the Engineering Department be and is hereby authorized and directed to notify all persons and firms with outstanding Chapter 573 claims against said project, that the project has been given final acceptance as completed by this City Council, that they have 60 days from such acceptance within which to initiate suit to collect on their claims, and that if suit is not commenced within that time, the City of Des Moines will be required to release the retainage which it is now holding.


BE IT FURTHER RESOLVED: That the Des Moines Finance Director be and is hereby authorized to release said retainage if suit is not filed as above provided.


Moved by \_\_\_\_\_ to adopt.

FORM APPROVED:

  
\_\_\_\_\_  
Kathleen Vanderpool  
Deputy City Attorney

FUNDS AVAILABLE

  
\_\_\_\_\_  
Allen McKinley  
Des Moines Finance Director

 Funding Source: 2007-2008 CIP, Page Street-29, Neighborhood Infrastructure Rehabilitation Program, STR205, G. O. Bonds

★ Roll Call Number

Agenda Item Number

9 E

Date December 17, 2007

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				
MOTION CARRIED			APPROVED	

**CERTIFICATE**

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

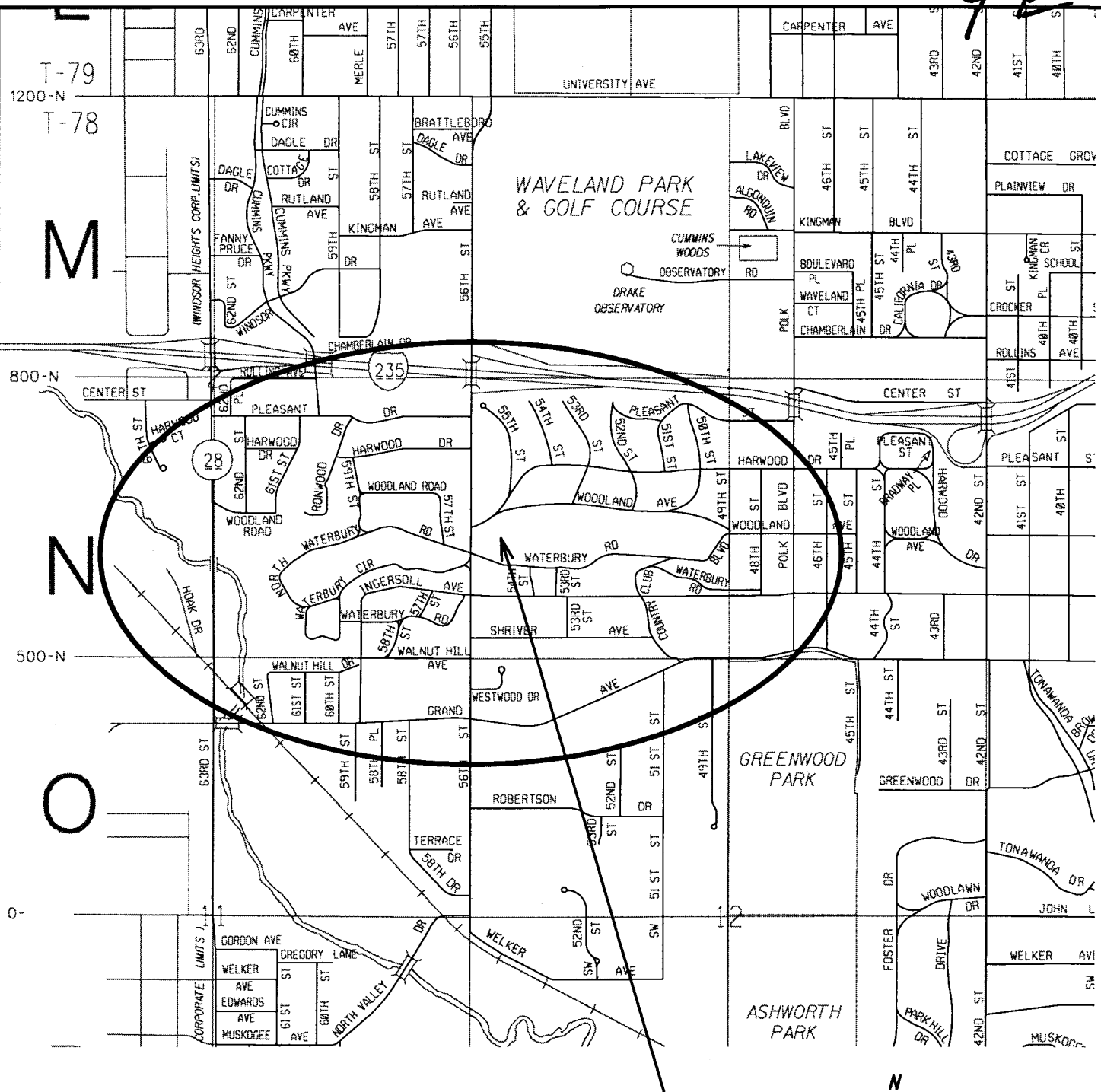
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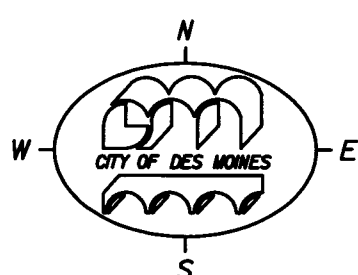
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**PROJECT LOCATION**



**2007 DESIGNATED NEIGHBORHOOD  
 SIDEWALK REPLACEMENT - CONTRACT 1  
 ACTIVITY I.D. 09-2007-006**

9 E

# PROJECT SUMMARY

## 2007 DN Sidewalk Replacement - Con. 1

### Activity ID 09-2007-006

On June 18, 2007, under Roll Call No. 07-1234, the City Council awarded the contract for the above improvements to Ti-Zach Concrete, Inc., in the amount of \$428,385.00 to reconstruct Class 'A' and Class 'B' Portland cement concrete sidewalks four(4) inches thick (six(6) inches thick at driveways), together with all necessary appurtenances; in accordance with the contract documents at:

Various locations in the Waterbury Neighborhood. Sidewalks will be replaced at locations inspected by Public Works and replacement of all sidewalks approved by City Council by separate action. Handicapped accessible ramps will also be constructed in the vicinity where sidewalks will be replaced.

Tabulated below is a history of project change orders.

<u>Change Order No.</u>	<u>Description</u>	<u>Initiated By</u>	<u>Amount</u>
1	10/9/2007 To use M-4 concrete on sidewalk thru drives where access is limited. To place asphalt in front of class A walk and ramps. To do extra grading work along 56th Street due to wet subgrade. To use Flaggers for traffic control along 56th St.	Engineering	\$16,615.00
2	10/16/2007 Cost associated with tree damaged at 5803 N. Waterbury Road.	Engineering	(\$2,032.90)
3	11/20/2007 To adjust to as_built quantities. To add additional topsoil along Ingersoll to raise sidewlk to correct grade.	Engineering	\$20,969.90
<b>Original Contract Amount</b>			\$428,385.00
<b>Total Change Orders</b>			\$35,552.00
<b>Percent of Change Orders to Original Contract</b>			8.30%
<b>Final Contract Amount</b>			\$463,937.00

9 E

December 17, 2007

**CERTIFICATION OF COMPLETION**

**AGENDA HEADING:**

Accepting completed construction and approving final payment for the 2007 Designated Neighborhood Sidewalk Replacement - Contract 1, Ti-Zack Concrete, Inc..

**SYNOPSIS:**

Approve the Jurisdictional Engineer's Certification of Completion, accept construction of said improvement, and authorize final payment to the contractor.

**FISCAL IMPACT:**

Amount: \$463,937.00 As-Built Contract Cost

Funding Source: 2007-2008 CIP, Page Street-29, Neighborhood Infrastructure Rehabilitation Program, STR205, G. O. Bonds

**CERTIFICATION OF COMPLETION:**

On June 18, 2007, under Roll Call No. 07-1234, the City Council awarded a contract to Ti-Zack Concrete, Inc., Steve J. Rutt, President, 39352 221st Avenue, LeCenter, MN 56057 for the construction of the following improvement:

2007 Designated Neighborhood Sidewalk Replacement - Contract 1, 09-2007-006

The improvement includes reconstruction of Class A and Class B Portland cement concrete sidewalks four(4) inches thick, (six(6) inches thick at driveways), together with all appurtenances; in accordance with the contract documents at the Waterbury Neighborhood, Des Moines, Iowa. Sidewalk will be replaced at locations inspected by the Public Works Department. Handicapped accessible ramps will also be constructed in the vicinity where sidewalks will be replaced.

I hereby certify that the construction of said 2007 Designated Neighborhood Sidewalk Replacement - Contract 1, Activity ID 09-2007-006, has been completed in substantial compliance with the terms of said contract, and I hereby recommend that the work be accepted. The work commenced on September 17, 2007, and was completed on December 7, 2007.



ENGINEERING DEPARTMENT  
CITY HALL  
400 ROBERT D. RAY DRIVE  
DES MOINES, IOWA 50309-1891  
(515) 283-4920  
FAX (515) 283-4112

ALL-AMERICA CITY  
1949, 1976, 1981  
2003

I further certify that \$463,937.00 is the total cost of said improvement, of which \$420,682.63 has been paid the Contractor and \$20,057.52 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$23,196.85 is to be paid at the end of thirty days, provided no claims or liens have been filed against said contract. In the event that at the end of said thirty (30) day period, claims are on file as herein provided, the City of Des Moines shall continue to retain from said unpaid funds, a sum not less than double the total amount of all claims on file, or the full Chapter 573 Code of Iowa retainage amount, whichever is lesser. The amount of completed work is shown on the attached Estimate of Construction Completed.

A handwritten signature in black ink, reading "Jeb E. Brewer" with a stylized flourish at the end.

Jeb E. Brewer, P.E.  
Des Moines City Engineer



**ESTIMATE OF CONSTRUCTION COMPLETED**

FOR WORK DONE FROM 10/30/07 to 11/2/07

FINAL

Project: 2007 Designated Neighborhood Sidewalk Replacement - Contract No.1  
Contractor: Ti-Zack Concrete, Inc.

Activity ID: 09-2007-006

Date: 11/19/07

LINE NO.	DESCRIPTION	UNIT	UNITS			CONSTRUCTED TO DATE	UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED				
1	Sidewalk, 4" Class 'A', Remove and Replace	SY	10,000	958,470		958,470	\$40.00	\$38,338.80
2	Sidewalk, 4" Class 'B' 2-6 SY, Remove and Replace	SY	1,000,000	872,400		872,400	\$42.00	\$36,640.80
3	Sidewalk, 4" Class 'B' Over 6 SY, Remove and Replace	SY	8,000,000	5,637,600		5,637,600	\$36.50	\$205,772.40
4	Sidewalk, Thru Driveways, 6" PCC, Remove and Replace	SY	900,000	1,083,260		1,083,260	\$43.00	\$46,580.18
5	Sidewalk, Handicapped Ramp, 6" PCC, Remove and Replace	SY	675,000	229,980		229,980	\$43.00	\$9,889.14
6	Detectable Warnings	SF	560,000	368,000		368,000	\$25.00	\$9,200.00
7	Remove & Replace Curb For Cl. A Walk	LF	100,000	2,134,900		2,134,900	\$30.00	\$64,047.00
8	Tree Root Removal	EACH	70,000	33,000		33,000	\$0.00	\$0.00
9	Saw Concrete - Full Depth	LF	2,000,000	3,009,310		3,009,310	\$4.00	\$12,037.24
10	Driveway, 6" PCC	SY	20,000	224,620		224,620	\$45.00	\$10,107.90
11	Driveway, Removal	SY	20,000	224,620		224,620	\$18.00	\$4,043.16
1.01	M-4 PCC, Sidewalk Thru Driveways	CY		80,000		80,000	\$9.00	\$720.00
1.02	Asphalt Patching	SF		1,765,140		1,765,140	\$3.75	\$6,619.28
1.03	Rock	TON		420,500		420,500	\$16.00	\$6,728.00
1.04	Grading Work	LS		1,000		1,000	\$3,291.00	\$3,291.00
1.05	Flagger	HR		113,000		113,000	\$35.00	\$3,955.00
2.01	Forestry Cost, Removal	LS		1,000		1,000	(\$1,032.90)	(\$1,032.90)
2.02	Tree Replacement	EACH		2,000		2,000	(\$500.00)	(\$1,000.00)
3.01	Top Soil	CY		400,000		400,000	\$20.00	\$8,000.00
TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS			\$463,937.00					
PARTIAL PAYMENT NO. 1			\$144,459.80					
PARTIAL PAYMENT NO. 2			\$169,576.10					
PARTIAL PAYMENT NO. 3			\$106,646.73					
THIS PARTIAL PAYMENT			\$20,057.52					
TOTAL PARTIAL PAYMENTS			\$440,740.15					
BALANCE			\$23,196.85					
			100.00%					
TOTAL								\$463,937.00
RETAINAGE								\$23,196.85
TOTAL LESS RETAINAGE								\$440,740.15
LESS PREVIOUS PAYMENT								\$420,682.63
AMOUNT DUE								\$20,057.52

PREPARED BY:

CHECKED BY:

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